

GOVERNOR'S REGULATORY REVIEW COUNCIL

This section of the *Register* contains information submitted for publication by the Governor's Regulatory Review Council, including the tentative agendas for the monthly Council meetings and summaries of action taken by the Council at the meetings.

GOVERNOR'S REGULATORY REVIEW COUNCIL

NOTICE OF PUBLIC MEETING AND AGENDA FOR FEBRUARY 1, 2005

[M05-02]

Pursuant to A.R.S. § 38-431.02, notice is hereby given to members of the **Governor's Regulatory Review Council** and to the general public that the **Governor's Regulatory Review Council** will hold a regular meeting, open to the public on **Tuesday, February 1, 2005 at 9:00 a.m. in the boardroom of the Arizona Peace Officer Standards & Training Board, 2643 East University, Phoenix, Arizona**. For additional information, call the **Governor's Regulatory Review Council office at (602) 542-2058**.

Under A.R.S. § 38-431.03(A)(3), the **Governor's Regulatory Review Council** may vote to go into executive session, which will not be open to the public, for the purpose of obtaining legal advice on any item on the agenda.

The agenda for the meeting is as follows:

- A. 9:00 A.M. – CALL TO ORDER**
- B. APPROVAL OF MINUTES OF JANUARY 4, 2005 MEETING**
- C. CONFLICTS OF INTEREST**
- D. CONSIDERATION OF FIVE-YEAR-REVIEW REPORTS:**
 - 1. DEPARTMENT OF ECONOMIC SECURITY (F-04-1106)**
Title 6, Chapter 13, Article 2, Application and Continued Eligibility; Article 3, Methods of Eligibility Determination and Budget Procedures; Article 6, Supplemental Payments Program; Article 8, Short-term Crisis Services; Article 9, Tuberculosis Control; and Article 12, Other Procedures and Services
 - 2. DEPARTMENT OF REVENUE (F-05-0102))**
Title 15, Chapter 2, Subchapter A. General and Administrative, Article 1, Definitions and General Provisions; Article 2, General Accounting Provisions; Subchapter B. Withholding. Article 1, Withholding by Employer; Article 2, Withholding as Payment of Tax for Employee; Subchapter C. Individuals. Article 1, Payment and Collection of Tax; Article 2, Additions to Arizona Gross Income; Article 3, Subtractions from Arizona Gross Income; Article 4, Deductions; Article 5, Credits; Article 6, Nonresidents; Subchapter D. Corporations. Article 1, General; Article 2, Additions to Arizona Gross Income; Article 3, Subtractions from Arizona Gross Income; Article 4, Deductions; Article 5, Business and Nonbusiness Income; Article 6, Property Factor; Article 7, Payroll Allocation Provisions; Article 10, Credits; Subchapter E. Tax-Exempt Organizations. Article 1, Organizations Exempt from Tax; Article 2, Denial of Exempt Status; Article 3, Returns of Exempt Organizations; Subchapter F. Estates and Trusts. Article 1, Article 1, Taxation of Partnerships

3. **DEPARTMENT OF ECONOMIC SECURITY (F-05-0104)**
Title 6, Chapter 2, Article 1, General Provisions; Article 2, Employment Services Provided by the Department; and Article 4, Other Employment Services and Programs

4. **DEPARTMENT OF ECONOMIC SECURITY (F-05-0105)**
Title 6, Chapter 5, Article 52, Certification and Supervision of Family Child Care Home Providers, and Article 56, Confidentiality and Release of CPS Records

5. **STATE LAND DEPARTMENT (F-05-0202)**
Title 12, Chapter 5, Article 20, Common Mineral Materials and Natural Products; and Article 21, Oil and Gas Leases

6. **DEPARTMENT OF REVENUE (F-05-0206)**
Title 15, Chapter 12, Article 1, General Provisions; Article 2, Property Tax Levy Limits; and Article 3, Hearing and Appeal Procedure

E. CONSIDERATION OF RULES:

1. **RADIATION REGULATORY AGENCY (R-04-1103)**
Title 12, Chapter 1, Article 5, Sealed Source Industrial Radiography; Article 11, Industrial Uses of X-rays, Not Including Analytical X-ray systems; Article 13, License and Registration Fees; and Article 14, Registration of Nonionizing Radiation Sources and Standards for Protection Against Nonionizing Radiation

Repeal: R12-1-541, R12-1-542, and R12-1-1439
Amend: R12-1-1302, R12-1-1402, and R12-1-1421
New Sections: R12-1-1102, R12-1-1140, R12-1-1142, R12-1-1438, R12-1-1439, Appendix C, and Appendix D

2. **INDUSTRIAL COMMISSION OF ARIZONA (R-04-1109)**
Title 20, Chapter 5, Article 11, Self-Insurance Requirements for Individual Employers (New Article)

New Article: Article 11
New Sections: R20-5-1101 through and R20-5-1136

3. **DEPARTMENT OF TRANSPORTATION (R-04-1207)**
Title 17, Chapter 5, Article 2, Motor Carriers

Amend: R17-5-203 and R17-5-210

4. **BOARD OF DENTAL EXAMINERS (R-04-1208)**
Title 4, Chapter 11, Article 1, Definitions; Article 3, Examinations, Licensing Qualifications, Application and Renewal, Time-frames; Article 4, Fees; Article 5, Dentists; Article 8, Denturists; Article 9, Restricted Permits; Article 11, Advertising; Article 12, Continuing Dental Education; Article 14, Dispensing Drugs and Devices for Profit and Not for Profit; Article 15, Complaints, Investigations, Disciplinary Action, Reinstatement of Revoked Licenses; and Article 18, Business Entities

Repeal: R4-11-402 through R4-11-404, R4-11-1207, R4-11-1401 through R4-11-1406
Amend: R4-11-101, R4-11-301, R4-11-303, R4-11-305, R4-11-401, R4-11-501, R4-11-801, R4-11-902, R4-11-901, R4-11-902, R4-11-902, R4-11-904, R4-11-905, R4-11-1101,

Article 12, R4-11-1201 through R4-11-1206, Article 14, Article 15, R4-11-1501, and R4-11-1503

New Article: Article 18

New Sections: R4-11-402, R4-11-1102, R4-11-1207 through R4-11-1209, R4-11-1401 through R4-11-1406, R4-11-1504, R4-11-1801 and R4-11-1802

5. DEPARTMENT OF HEALTH SERVICES (R-05-0204)

Title 9, Chapter 10, Article 1, General

Amend: R9-10-108

6. DEPARTMENT OF ENVIRONMENTAL QUALITY (R-05-0207)

Title 18, Chapter 5, Article 1, Classification of Treatment Plants and Certification of Operators

Amend: Article 1, R18-5-101, R18-5-104, R18-5-107, R18-5-109, and R18-5-115

7. GAME AND FISH COMMISSION (R-05-0208)

Title 12, Chapter 4, Article 1, Definitions and General Provisions

Amend: R12-4-101, R12-4-104, R12-4-107, and R12-4-115

F. ADJOURNMENT

PLEASE NOTE:

- THIS AGENDA IS SUBJECT TO CHANGE UP TO 24 HOURS BEFORE THE MEETING.
- PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION, SUCH AS A SIGN LANGUAGE INTERPRETER, BY CONTACTING (602) 542-2058. REQUESTS SHOULD BE MADE AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE THE ACCOMMODATION.
- A COPY OF THE AGENDA AND BACKGROUND MATERIAL PROVIDED TO COUNCIL MEMBERS (WITH THE EXCEPTION OF MATERIAL RELATING TO POSSIBLE EXECUTIVE SESSIONS) IS AVAILABLE FOR PUBLIC INSPECTION AT THE COUNCIL'S OFFICE, 100 N. 15TH AVENUE, SUITE 402, PHOENIX, AZ 85007.

GOVERNOR'S REGULATORY REVIEW COUNCIL

NOTICE OF ACTION TAKEN AT THE JANUARY 4, 2005 MEETING

[M05-01]

RULES:

1. VETERINARY MEDICAL EXAMINING BOARD (R-05-0103)

Title 3, Chapter 11, Article 5, Standards of Practice

Amend: R3-11-502

COUNCIL ACTION: APPROVED

2. DEPARTMENT OF HEALTH SERVICES (R-05-0106)

Title 9, Chapter 10, Article 2, Hospitals

Amend: R9-10-201, R9-10-203, R9-10-204, R9-10-206, R9-10-208, R9-10-209, R9-10-212, R9-10-213, R9-10-218 through R9-10-220, R9-10-222, and R9-10-228

COUNCIL ACTION: APPROVED

- 3. DEPARTMENT OF ADMINISTRATION (R-05-0107)**
Title 17, Chapter 9, Article 1, School Bus Minimum Standards

Repeal: Exhibit A
Amend: R17-9-101 through R17-9-104, and R17-9-109
New Section: R17-9-1-112

COUNCIL ACTION: APPROVED

- 4. DEPARTMENT OF HEALTH SERVICES (R-05-0108)**
Title 9, Chapter 25, Article 3, Emergency Medical Services

Amend: R9-25-306 and R9-25-309

COUNCIL ACTION: APPROVED

- 5. DEPARTMENT OF REAL ESTATE (R-05-0109)**
Title 4, Chapter 28, Article 1, General Provisions; Article 3, Licensure; Article 4, Education; Article 5, Advertising; Article 8, Documents; Article 10, Franchises and Fictitious Names; Article 11, Professional Conduct; Article 12, Developments; and Article 13, Administrative Procedures

Repeal: Article 10, R4-28-1001
Amend: R4-28-101 through R4-28-104, Table 1, R4-28-301 through R4-28-305, R4-28-402, R4-28-502, R4-28-503, R4-28-803, R4-28-1101, R4-28-1103, R4-28-A1215, R4-28-1303, and R4-28-1310
New Sections: R4-28-306 and R4-28-405

COUNCIL ACTION: APPROVED

- 6. BOARD OF APPRAISAL (R-05-0110)**
Title 4, Chapter 46, Article 4, Standards of Practice

Amend: R4-46-401

COUNCIL ACTION: APPROVED

- 7. BOARD OF NURSING (R-05-0111)**
Title 4, Chapter 19, Article 2, Arizona Professional and Practical Nursing Programs

Amend: R4-19-201 through R4-19-212, and R4-19-214
New Section: R4-19-215

COUNCIL ACTION: APPROVED

- 8. BOARD OF PHARMACY (R-05-0112)**
Title 4, Chapter 23, Article 6, Permits and Distribution of Drugs

Amend: R4-23-655

COUNCIL ACTION: APPROVED

- 9. BOARD OF MANUFACTURED HOUSING (R-05-0113)**
Title 4, Chapter 34, Article 1, General; Article 2, Licensing; Article 4, Surety Bonds; Article 5, Fees; Article 6, Manufacturing, Construction, and Inspection; Article 7, Plan Approvals, and Article 8, Permits and Installation

Repeal: R4-34-602

Amend: R4-34-101, R4-34-102, R4-34-202, R4-34-203, R4-34-401, R4-34-502, R4-34-604, R4-34-606, R4-34-607; R4-34-701 through R4-34-705, and R4-34-803 through R4-34-805

COUNCIL ACTION: APPROVED

10. STATE RETIREMENT SYSTEM (R-05-0114)

Repeal: R2-8-121
New Article: Article 4
New Sections: R2-8-401 through R2-8-405

COUNCIL ACTION: APPROVED